

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

LESLY R. SPENCER,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of the Social Security  
Administration,

Defendant.

CASE NO. 2:15-cv-00020 JRC

ORDER ON UNOPPOSED MOTION  
FOR EQUAL ACCESS TO JUSTICE  
ACT FEES AND EXPENSES AND  
FOR COSTS

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, Dkt. 6; Consent to Proceed Before a United States Magistrate Judge, Dkt. 7).

This matter is before the Court on plaintiff's Motion for Equal Access to Justice Act Fees, Expenses and for Costs (*see* Dkt. 25). Defendant has no objections (*see* Dkt. 26).

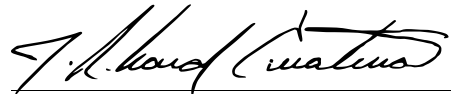
Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), plaintiff's motion (Dkt. 25), the brief in support of plaintiff's motion (Dkt. 25, Attachment 1), the attorney declaration and time, expense and costs itemizations (Dkt. 25, Attachments 3, 4, 5, 6, 7) and the

1 relevant record, it is hereby ORDERED that EAJA attorney's and paralegal's fees of \$5,040.36  
2 and expenses in the amount of \$19.44, shall be awarded to plaintiff pursuant to the EAJA and  
3 consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at \*\*\*6-\*\*\*7  
4 (2010).

5 It is further ORDERED that costs in the amount of \$14.00 shall be awarded to plaintiff  
6 pursuant to 28 U.S.C. § 1920.

7 The Acting Commissioner agrees to contact the Department of Treasury after the Order  
8 for EAJA fees and expenses and for costs is entered to determine if the EAJA fees, expenses and  
9 costs are subject to any offset. If it is determined that plaintiff's EAJA fees, expenses and costs  
10 are not subject to any offset allowed pursuant to the Department of the Treasury's Offset  
11 Program, then the check for EAJA fees, expenses and costs shall be made payable to Robert A.  
12 Friedman, Esq., based on plaintiff's assignment of these amounts to plaintiff's attorney (*see*  
13 Contract for Attorney Representation in Federal Court SSI/Social Security Disability, Dkt. 25,  
14 Attachment 8). If there is an offset, the remainder shall be made payable to plaintiff, based on  
15 the practice of the Department of the Treasury (*see, e.g.*, Case No. 2:15-cv-122, Dkt. 22, p. 4).  
16 Any check for EAJA fees, expenses and costs shall be mailed to plaintiff's counsel, Robert A.  
17 Friedman, Esq., at Robert A. Friedman and Associates, 3410 Broadway, Everett, Washington,  
18 98201.

19 Dated this 5th day of November, 2015.

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22 J. Richard Creatura  
23 United States Magistrate Judge  
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